

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**BLUEFIELD DIVISION**

**SANDRA JEAN HYLTON,**

**Plaintiff,**

**V.**

**CAROLYN W. COLVIN,**

**Commissioner of Social Security,  
Defendant.**

**CIVIL ACTION NO. 1:12-06393**

## MEMORANDUM OPINION AND ORDER

The Defendant, Carolyn W. Colvin, Commissioner of the Social Security Administration, by counsel, Christopher J. Krivonyak, Assistant United States Attorney for the Southern District of West Virginia, has moved the Court to remand this case to the Commissioner pursuant to the provisions of sentence four of 42 U.S.C. § 405(g). (Document No. 20.) Counsel for the Defendant asserts that on remand, the Commissioner, through the Appeals Council, will refer the case to an Administrative Law Judge (“ALJ”) to:

(1) further develop and evaluate the evidence of record; (2) evaluate the medical source opinion of Kamalesh Patel, M.D.; (3) evaluate the opinion of Kim Weatherly, C-FNP; (4) further evaluate the claimant's residual functional capacity; and (5) if warranted, obtain vocational expert testimony to clarify the effects of the assessed limitations on the claimant's occupational base.

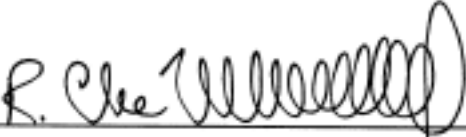
(Id. at ¶ 3.) Counsel further states that counsel for Plaintiff concurs in the Motion. (Id. at ¶ 4.) Both parties have consented to disposition by the United States Magistrate Judge. (Document Nos. 7 and 8.)

Accordingly, there being good cause for the parties' Motion to Remand and there being no objection, it is hereby **ORDERED** that the Uncontested Motion to Remand (Document No. 20.) is **GRANTED**. This case is **REMANDED** to the Commissioner of Social Security for further

proceedings before an Administrative Law Judge as specified by the Commissioner in his Motion to Remand pursuant to the provisions of sentence four of 42 U.S.C. § 405(g).

The Clerk is directed to send a copy of this Order to counsel of record.

ENTER: March 4, 2014.

  
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R. Clarke VanDervort  
United States Magistrate Judge